

STATE OF MICHIGAN  
CIRCUIT COURT FOR THE 7TH JUDICIAL CIRCUIT  
GENESEE COUNTY

STATE TREASURER,

Plaintiff,

Case No. 04-79523-CZ

Honorable Archie L. Hayman

v

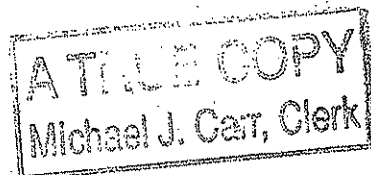
ARDELL L. WYATT, [REDACTED]

Defendant.

MICHAEL A. COX  
Attorney General

VICTORIA A. REARDON (P41682)  
Assistant Attorney General  
Cadillac Place  
3030 W. Grand Blvd., Ste. 10-200  
Detroit, MI 48202  
(313) 456-0140  
(313) 456-0291-Fax  
Attorneys for Plaintiff

JOHN A. TOSTO (P56579)  
Joliat, Tosto, McCormick & Bade, PLC  
Capital Theatre Building  
140 E. Second Street, Suite 215  
Flint, MI 48502  
(810) 244-5862  
(810) 244-1650-Fax



STIPULATED FINAL ORDER

At a session of said Court, held in the City  
of Flint, Genesee County, Michigan on

PRESENT: Hon. \_\_\_\_\_  
Circuit Court Judge

This matter has come before the Court on a Complaint and Order to Show Cause why an Order should not be entered appropriating and applying the Defendant's assets to reimburse the State for the cost of Defendant's confinement in a State correctional facility in accordance with the State Correctional Facility Reimbursement Act (SCFRA), MCL 800.401, *et seq.*, and upon the consent of the parties as evidenced by the signatures of counsel appearing below. The Court is fully advised in the premises and finds entry of this Order appropriate under the circumstances. Accordingly,

IT IS ORDERED THAT:

1. During the period that Defendant, ARDELL L. WYATT, is incarcerated in a State of Michigan correctional facility, his legal address is the Michigan correctional facility in which he is confined, currently the Thumb Correctional Facility, 3225 John Conley Drive, Lapeer, MI 48446, while the Defendant is confined, the State of Michigan continues to expended money for the cost of Defendant's care while in prison and is entitled to reimbursement pursuant to the SCFRA.

2. During his incarceration, any net pension benefits (gross payment less amount taken out only for taxes based upon current exemptions) that Defendant is entitled to from his General Motors retirement shall henceforth be disbursed as follows:

a. The Defendant's daughter, LEISHA STACY has been receiving her father's pension benefits since his incarceration, and pursuant to this Order she will continue to receive these pension benefits, which are sent to her from the pension provider, General Motors Corporation.

b. The Defendant ARDELL L. WYATT shall be responsible for ensuring that the pension provider has his authority to send any pension benefits to which he may be entitled to his daughter, LEISHA STACY, at her residence.

c. The State is awarded 70% of the net pension funds sent to Defendant's daughter, LEISHA STACY, beginning with the November, 2004 monthly benefit check. LEISHA STACY shall be responsible for sending the 70% of the net amount of Defendant's monthly pension benefit to the State of Michigan as partial reimbursement for the cost of Defendant's care while in prison. These monthly payments to the State must be made within two weeks of her receipt of the pension benefit check from the pension source, and if his monthly payment is more than one month overdue the State, upon notification by letter mailed to LEISHA STACY's last known address and to the Defendant in prison, may implement the DEFAULT provisions of this Order. LEISHA STACY shall also be responsible for providing proof to the State of Michigan of the pension payment amount from General Motors Corporation upon the initial payment in November, 2004, and upon any future payments if there is a reduction in the amount that represents the 70% to the State.

3. DEFAULT PROVISION: If LEISHA STACY fails to send the 70% monthly benefit amount to the State of Michigan for a minimum period totaling one month, then the State of Michigan, upon notification of implementation of this Default Provision as described above, shall be entitled to 90% of any future monthly pension benefits and may implement the following provisions:

a. The Defendant ARDELL L. WYATT is ordered to notify General Motors Corporation, within one week of being served with a copy of this Stipulated Final Order, and a copy of the notice provided for in Paragraph 2 above, that the State intends to implement these Default provisions, that all pension benefits shall be mailed by check made payable to ARDELL L. WYATT at the Thumb Correctional Facility, 3225 John Conley Drive, Lapeer, MI, and within one week of any transfer to a different facility, ARDELL L. WYATT shall notify General Motors Corporation of his new prison address.

b. If the Defendant, ARDELL L. WYATT, shall fail or refuse to notify General Motors Corporation of his current legal prison address, or upon transfer to a new facility, of any future prison address, the warden or his representative of the correctional facility where ARDELL L. WYATT is confined shall serve a copy of this Order, along with certification of the address of the correctional facility where ARDELL L. WYATT is confined, upon General Motors Corporation, and this shall serve as notification to General Motors Corporation of ARDELL L. WYATT's legal address where ARDELL L. WYATT is to receive his pension benefits by check made payable to ARDELL L. WYATT and mailed to the prison address.

c. The warden or his representative of the correctional facility where ARDELL L. WYATT is confined, and the warden or his representative of any future correctional facility where ARDELL L. WYATT may be housed, is ordered to make monthly distributions to the State of Michigan from ARDELL L. WYATT's prison account in an amount equal to 90% of any assets which are received and deposited in ARDELL L. WYATT's prison account as the result of payments made to him from the General Motors Corporation, as reimbursement for the cost of his continuing care while in prison, but these payments shall not exceed the actual cost of ARDELL L. WYATT's care.

4. This Order shall continue in effect until the Defendant, ARDELL L. WYATT, is released from the physical custody of the State of Michigan Department of Corrections.

5. Upon entry of this Order this case is dismissed without prejudice and without costs to any party.

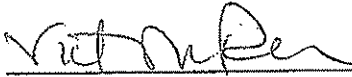
6. This is a final order and resolves the last pending claim in this case.

Date: 11-18-04

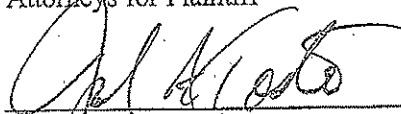
**ARCHIE L. HAYMAN**  
**P-97516**  
Genesee County Circuit Court Judge

APPROVED AS TO SUBSTANCE AND FORM:

Date: 11/18/04

  
Victoria A. Reardon (P41682)  
Assistant Attorney General  
Attorneys for Plaintiff

Date: 11/3/04

  
John A. Tosto (P56579)  
Attorney for Defendant ArdeLL L.  
Wyatt, [REDACTED]